

REMARKS

Overview

These remarks are set forth in response to the Final Office Action. Presently, claims 6, 7, 9, 10, 16, 17, 19, 20, 27-31 and 37-41 are pending in the Patent Application. Claims 6, 16, 27, and 37 are independent in nature. Favorable reconsideration and allowance of the pending claims are respectfully requested.

Although Applicant disagrees with the broad grounds of rejection set forth in the Office Action, Applicant has amended claims 6, 16, 27, and 37 in order to facilitate prosecution on the merits. Amendments to claims are supported by at least page 36 lines 9-21 through page 37 lines 1-13, and figures 7A-7C of the specification.

35 U.S.C. § 103

Claims 6-7, 9-10, 16-17, 19-20, 27-31 and 37-41 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dyszel “Handspring Visor for Dummies”, (hereinafter “Dyszel”), Microsoft® Windows Version 5.1, copyright 2001 (hereinafter “Windows”) and United States Patent No. 6,009,338 to Iwata et al. (hereinafter “Iwata”). Applicants respectfully traverse the rejection, and requests reconsideration and withdrawal of the rejection.

According to MPEP § 2143, three basic criteria must be met to establish a *prima facie* case of obviousness. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP 706.02(j).

Applicant submits that the cited references, taken alone or in combination, fail to teach each and every element recited in claims 6-7, 9-10, 16-17, 19-20, 27-31 and 37-41 and thus they define over the cited references.

For example, with respect to claim 1, the cited references fail to teach at least the following language:

“associating the appointment icons to a category; displaying only the appointment icons for a selected category; wherein displaying only the appointment icons for a selected category further comprises: displaying the appointment icon in a color that associates the appointment icon to the category.”

According to the Office Action, the above-recited language is disclosed by Dyszel at page 121 and Fig. 8-3. Office Action at pp. 2. This assertion is respectfully traversed.

Applicant respectfully submits that claim 6 defines over the cited references because the cited references fail to disclose, teach or suggest, at least, “associating the appointment icons to a category; displaying only the appointment icons for a selected category; wherein displaying only the appointment icons for a selected category further comprises: displaying the appointment icon in a color that associates the appointment icon to the category.” As provided for in the Specification, the “displaying only the appointment icons for a selected category ... displaying the appointment icon in a color that associates the appointment icon to the category” provides a significant technical advantage because, for example, “If there are categorized events scheduled in a view in which a different category is selected, those events are hidden in the view. This can enable a user to instantaneously determine whether a particular category event, such as a business meeting, for example, is scheduled in a given day.” Specification at p. 37, ll. 8-12 & Fig. 7A & 7C.

As stated in the Office Action, “Dysze teaches ... the columns represent the days of the week and bars in the columns represent appointment icons.” Office Action at p. 2. However, as illustrated by Figs. 8-3 and 8-5, Dyszel teaches “Viewing your appointments over the course of a week,” and “View the whole month to see which days have

appointments,” respectively. Dyszel at p. 121 and 123 & Figs. 8-3 and 8-5. Thus, nowhere does Dyszel, teach or suggest, at least, “displaying only the appointment icons for a selected category; wherein displaying only the appointment icons for a selected category further comprises: displaying the appointment icon in a color that associates the appointment icon to the category,” as recited in claim 6. Consequently, the cited references, whether taken alone or in combination, fail to disclose, teach or suggest every element recited in claim 6.

Absence from the cited references of the above-mentioned claim elements negates obviousness. Accordingly, Applicant respectfully requests removal of the obviousness rejection with respect to claim 6. Furthermore, Applicant respectfully requests withdrawal of the obviousness rejection with respect to claims 7, 9, and 10, which depend from claim 6, and therefore contain additional features that further distinguish these claims from the cited references.

Independent claims 16, 27, and 37 recite elements similar to those recited in claim 6. Therefore, Applicant respectfully submits that claims 16, 27, and 37 are not obvious and is patentable over the cited references for reasons analogous to those presented with respect to claim 6. Accordingly, Applicant respectfully requests removal of the obviousness rejection with respect to claims 16, 27, and 37. Furthermore, Applicant respectfully requests withdrawal of the obviousness rejection with respect to claims 17, 19, 20, 28-31, and 38-41, that depend from claims 16, 27, and 37, and therefore contain additional features that further distinguish these claims from the cited references.

Conclusion

For at least the above reasons, Applicant submits that claims 6, 7, 9, 10, 16, 17, 19, 20, 27-31 and 37-41 recite novel features not shown by the cited references. Further, Applicant submits that the above-recited novel features provide new and unexpected results not recognized by the cited references. Accordingly, Applicant submits that the claims are not anticipated nor rendered obvious in view of the cited references.

Applicant does not otherwise concede, however, the correctness of the Office Action’s rejection with respect to any of the dependent claims discussed above.

Accordingly, Applicant hereby reserves the right to make additional arguments as may be necessary to further distinguish the dependent claims from the cited references, taken alone or in combination, based on additional features contained in the dependent claims that were not discussed above. A detailed discussion of these differences is believed to be unnecessary at this time in view of the basic differences in the independent claims pointed out above.

It is believed that claims 6, 7, 9, 10, 16, 17, 19, 20, 27-31 and 37-41 are in allowable form. Accordingly, a timely Notice of Allowance to this effect is earnestly solicited.

The Examiner is invited to contact the undersigned at 724-933-9338 to discuss any matter concerning this application.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to the credit card in the previously filed credit card authorization form.

Respectfully submitted,

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